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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,151	11/21/2001	Toshiki Kindo	P21724	9437
7055	7590	08/11/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			THAI, HANH B	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

<b>Application No.</b>	<b>Applicant(s)</b>	
	09/989,151	KINDO ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
Hanh B. Thai	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on amendment filed 5/24/05.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 20-28 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 20-28 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

This is in response to amendment filed May 24, 2005.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 20-28 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 20-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein et al. (US 5,872,850) of record in view of Ariyoshi (US 6,408,288 B1).

Regarding claim 20, Klein discloses an information distribution system, comprising:

- a storage section that stores a personal profile that includes at least one evaluation value of a keyword contained in distribution information provided from a first information distribution provider (col. 1, lines 47-51 and col.3, line 43 to col. 4, line 6; col. 5, lines 13-27 and col. 6, lines 3-9, Klein); and
- an information distributor that rates the distribution information provided from the first information distribution provider with the keyword based on the personal profile and sends said distribution information to a client, wherein said information distributor rates distribution information provided from a second information distribution provider with a keyword based on the personal profile

and sends the distribution information to the client (col.1, lines 47-63; col.4, lines 7-60; col. 5, lines 13-27. Klein discloses the filtering mechanism to filter the user content-based items from a domain or many domains or from many information providers at col.1, lines 47-63 and co.3, lines 51-54. Therefore, Klein teaches the claimed feature of the distribution information pieces from one or many different information providers and Klein further discloses at col. 2, lines 41-48 the distributed system that transmit data to a node which corresponds to the client that must include the distribution information provider).

Klein, however, does not disclose “the evaluation value is calculated based upon a user’s past selection of distribution information containing the keyword. Ariyoshi, on the other hand, discloses an information filtering method including filtering, rating or evaluating keyword based on a user’s past selection of distribution information containing the keyword (abstract; summary and col. 4, lines 41-67 and col.5, lines 39-46, Ariyoshi). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Klein to include the claimed feature as taught by Ariyoshi. The motivation of doing so would have been to obtain the distribution information with higher accuracy (col. 2, lines 34-40, Ariyoshi).

Regarding claim 21, Klein/Ariyoshi combination discloses the information distribution system of claim 20, wherein said information distributor comprises a first information filter that rates said distribution information from said first information distribution provider based on said evaluation value registered in said personal profile in correspondence to said keyword contained in said distribution information, and sends said distribution information to the client, and a

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second information filter that rates said distribution information from said second information distribution provider based on said evaluation value registered in said personal profile in correspondence to said keyword contained in said distribution information, and sends said distribution information to the client (see col.1, lines 47-63 and co.3, lines 51-54, Klein discloses the filtering mechanism to filter the user content-based items from a domain or many domains at col.1, lines 47-63 and co.3, lines 51-54, Klein. Therefore, Klein teaches the plurality of filtering of the distribution information pieces from one or many different information providers).

Regarding claim 22, Klein/Ariyoshi combination discloses the information distribution system of claim 21, wherein said first information filter performs a learning process that changes said evaluation value of the keyword contained in said distribution information from said first information distribution provider in said personal profile, based on said distribution information and preference information of the client about said distribution information, and wherein said second information filter does not perform said learning process based on said distribution information from said second information distribution provider (col.1, lines 36-45; col. 3, lines 54-63 and col. 6, line 62 to col. 7, line 10, Klein discloses at the background that the distribution information is extracted, filtered and reviewed by the reviewers whoever paid for the review but not establishing the learning process of how to perceive the interested movies).

Regarding claim 23, Klein/Ariyoshi combination discloses the information distribution system of claim 20, wherein said distribution information from said first information distribution provider comprises more keywords than said distribution information from said second information distribution provider (col.1, lines 47-63; col.4, lines 7-60; col. 5, lines 13-27, Klein).

Regarding claim 24, Klein/Ariyoshi combination discloses the information distribution system of claim 20, wherein said distribution information from said first information distribution provider comprises a newspaper article, and wherein said distribution information from said second information distribution provider comprises a product advertisement (col.31, lines 38-49, Klein).

Regarding claim 25, Klein discloses an information distribution apparatus, comprising:

- a storage device that stores a personal profile that includes at least one evaluation value of a keyword contained in distribution information provided from a first information distribution provider (col. 1, lines 47-51 and col.3, line 43 to col. 4, line 6, Klein);
- a first information filter that rates the distribution information from the first information distribution provider based on the at least one evaluation value registered in said personal profile in correspondence to the keyword contained in the distribution information, sends the distribution information to a client, and performs a learning process that changes the at least one evaluation value of the keyword contained in said distribution information and preference information of the client about said distribution information (col. 23, lines 20-28, Klein);
- a second information filter that rates distribution information from a second information distribution provider based on said evaluation value registered in said personal profile in correspondence to said keyword contained in said distribution information, sends said distribution information to the client, but does not perform the learning process based on the distribution information from

the second information distribution provider (col.1, lines 36-45 and 47-63 and col.3, lines 51-54, Klein discloses the filtering mechanism to filter the user content-based items from a domain or many domains at col.1, lines 47-63 and col.3, lines 51-54, Klein. Therefore, Klein teaches the plurality of filtering of the distribution information pieces from one or many different information providers. Klein further discloses at the background that the distribution information is extracted, filtered and reviewed by the reviewers whoever paid for the review but not establishing the learning process of how to perceive the interested movies).

Klein, however, does not disclose “the evaluation value is calculated based upon a user’s past selection of distribution information containing the keyword. Ariyoshi, on the other hand, discloses an information filtering method including filtering, rating or evaluating keyword based on a user’s past selection of distribution information containing the keyword (abstract; summary and col. 4, lines 41-67 and col.5, lines 39-46, Ariyoshi). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Klein to include the claimed feature as taught by Ariyoshi. The motivation of doing so would have been to obtain the distribution information with higher accuracy (col. 2, lines 34-40, Ariyoshi).

Regarding claim 26, Klein discloses an information distribution method, comprising:

- rating distribution information provided from a first information distribution provider with a keyword based on a personal profile that includes at least one evaluation value of the keyword (col.4, lines 20-25; col.5, lines 2-27, Klein), and

sending the distribution information to a client, wherein distribution information provided from a second information distribution provider with a keyword is rated based on the personal profile and sent to the client (col.1, lines 47-63; col. 2, lines 41-48; col.4, lines 7-60; col. 5, lines 13-7).

Klein, however, does not disclose “the evaluation value is calculated based upon a user’s past selection of distribution information containing the keyword. Ariyoshi, on the other hand, discloses an information filtering method including filtering, rating or evaluating keyword based on a user’s past selection of distribution information containing the keyword (abstract; summary and col. 4, lines 41-67 and col.5, lines 39-46, Ariyoshi). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Klein to include the claimed feature as taught by Ariyoshi. The motivation of doing so would have been to obtain the distribution information with higher accuracy (col. 2, lines 34-40, Ariyoshi).

Regarding claim 27, Klein/Ariyoshi combination discloses the information distribution method of claim 26, further comprising: rating the distribution information from the second information distribution provider based on the evaluation value registered in the personal profile in correspondence to the keyword contained in the distribution information (col.1, lines 47-63; col.4, lines 7-60; col. 5, lines 13-27, Klein).

Regarding claim 28, Klein/Ariyoshi combination discloses the information distribution method of claim 26, further comprising: performing a learning process that changes the evaluation value of the keyword contained in the distribution information from the first information distribution provider in the personal profile, based on the distribution information

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and preference information of the client about the distribution information; and not performing the learning process based on the distribution information from the second information distribution provider (col.3, line 43 to col. 4, line 6col. 6, line 62 to col. 7, line 10 and col. 5, lines 13-27. Klen discloses the system that stores user and item information including keywords in profiles and learns what item the user is interested in have to change the evaluation value. Klein further discloses at the background that the distribution information is extracted, filtered and reviewed by the reviewers whoever paid for the review but not establishing the learning process of how to perceive the interested movies).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B. Thai whose telephone number is 571-272-4029. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Hanh B Thai  
Examiner  
Art Unit 2161

August 5, 2005

  
UYEN LE  
PRIMARY EXAMINER